

Attorney Docket # 5029-39RCE

3727/15
Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Martin ESSING

Serial No.: 09/843,348

Filed: April 26, 2001

For: Ventilation Device for a Fuel Tank

Examiner: Castellano, S.

Group Art: 3727

#15
11/17/03
Bloss

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

November 5, 2003

(Date of Deposit)

Thomas C. Pontani

Name of applicant, assignee or Registered Representative

Thomas C. Pontani

Signature

November 5, 2003

Date of Signature

Mail Stop DD

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RECEIVED

NOV 17 2003

INFORMATION DISCLOSURE STATEMENT

TECHNOLOGY CENTER R3700

S I R:

In compliance with the duty of disclosure under 37 C.F.R. §1.56 and in accordance with the practice under 37 C.F.R. §§1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO 1449. Copies of the listed documents are also enclosed.

Also enclosed is a copy of a European Search Report

This information is being submitted subsequent to the later of three months after the filing date of the present application or the mailing of the first Office Action on the merits, but before the mailing of a final Action or the Notice of Allowance.

This information is being submitted after issuance of a Final Office Action on the merits, or after issuance of a Notice of Allowance, but before payment of the Issue Fee.

11/10/2003 ECHAU1 00000007 09843348

00 00000000

180.00 00

STATEMENT

No item of information contained in the Information Disclosure Statement was cited in a communication received from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

FR 2 756 518 and the English Abstract attached thereto disclose an apparatus for maintaining fuel expansion volume in vehicle fuel tank during filling.

FR 2 774 951 was previously submitted in an IDS filed on August 17, 2001 and corresponds to U.S. Patent No. 6,557,719.

DE 30 37 827 discloses a valve which compensates for over and underpressure in tanks.

EP 0 754 630 and the English Abstract attached thereto disclose a screw cap with a pressure equalization device.

DE 43 29 876 and corresponding U.S. Patent No. 5,526,843 disclose a venting valve for a fuel tank.

U.S. 5,437,144 which is also listed in the European Search Report was submitted with the IDS filed on August 17, 2001.

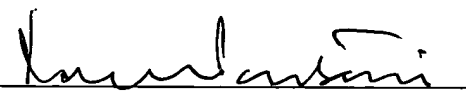
In accordance with 37 C.F.R §§1.97(g) and (h), the filing of this Information Disclosure Statement should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56(b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise

indicated, the date of publication indicated for an item is taken from the face of the item and Applicant(s) reserve(s) the right to prove that the date of publication is in fact different.

A check in the amount of \$180.00 in payment of the appropriate fee is enclosed.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO/SB/08a be returned indicating that such information has been considered.

Respectfully submitted,
COHEN, PONTANI, LIEBERMAN & PAVANE

By: 
Thomas C. Pontani
Reg. No. 29,763
551 Fifth Avenue, Suite 1210
New York, New York 10176
(212) 687-2770

Dated: November 5, 2003